

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Jerome Sisco

DEFENDANTS

City of Philadelphia, Police Officer Matthew Blaszczyk, Police Officer White, and Police Officer Larry Aitken and Police Officer John Doe 1-3

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)
Rania Major, Esquire
2915 North 5th Street, Philadelphia, PA 19133
(215) 291-5009

Attorneys (If Known)
Unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. Section 1983

Brief description of cause:

Excessive force by police, assault and battery

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

150,000.00+

CHECK YES only if demanded in complaint

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions)

JUDGE

DOCKET NUMBER

DATE

09/03/2013

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Jerome Sisco	:	CIVIL ACTION
v.	:	
	:	
	:	
City of Philadelphia, et al.	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

<u>09/03/2013</u>	<u>Rania Major</u>	<u>Plaintiff</u>
Date	Attorney-at-law	Attorney for
<u>215-291-5009</u>	<u>215-279-7107</u>	<u>allcourts@comcast.net</u>
Telephone	FAX Number	E-Mail Address

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2347 West Norris Street, Phila., PA 19121

Address of Defendant: Law Dept., 1515 Arch St., 14th Floor, Phila., PA 19102

Place of Accident, Incident or Transaction: 1300 Block West Cambria Street, Phila., PA 19104
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed R. Civ P. 7.1(a))

Yes ☐ No ☒ XX

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒ XX

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒ XX
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒ XX
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒ XX
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒ XX

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☒ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify) _____
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Rania Major, counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

DATE: 09/03/2013


Attorney-at-Law

51298

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 09/03/2013

Attorney-at-Law

51298

Attorney I.D.#

RANIA MAJOR, ESQUIRE
RANIA MAJOR-TRUNFIO, P.C.
2915 North 5th Street
Philadelphia, Pa 19133
Identification Number: 51298
(215) 291-5009

ATTORNEY FOR PLAINTIFF

*IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA*

JEROME SISCO
2347 W. Norris Street
Philadelphia, PA 19121

Plaintiff

v.

CITY OF PHILADELPHIA
1515 Arch Street, 14th Floor
Philadelphia, PA 19102

and

POLICE OFFICER MATTHEW
BLASZCZYUK
Badge# 6382, Individually and in his Official
Capacity as a Police Officer of the City of
Philadelphia
1515 Arch Street, 14th Floor
Philadelphia, PA 19102

and

POLICE OFFICER __ WHITE ,
Badge# 7097, Individually and in his Official
Capacity as a Police Officer of the City of
Philadelphia
1515 Arch Street, 14th Floor
Philadelphia, PA 19102

and

CIVIL ACTION NO.

JURY TRIAL DEMANDED

POLICE OFFICER LARRY AITKEN , :
Badge# 207612, Individually and in his Official :
Capacity as a Police Officer of the City of :
Philadelphia :
1515 Arch Street, 14th Floor :
Philadelphia, PA 19102 :

AND :

POLICE OFFICERS JOHN DOE 1-3 :
Badge# s UNKNOWN, Individually and in their: :
Official Capacities as Police Officers of the :
City Of Philadelphia :
1515 ARCH STREET, 15TH FLOOR :
PHILADELPHIA, PA. 19102 :

Defendants :

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Philadelphia Bar Association
1101 Market Street
11th Floor
Philadelphia, PA 19107
(215) 238-6300

ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se

defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENDUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Philadelphia Bar Association
1101 Market Street
11th Floor
Philadelphia, PA 19107
(215) 238-6300

and

POLICE OFFICER LARRY AITKEN , :
Badge# 207612, Individually and in his Official :
Capacity as a Police Officer of the City of :
Philadelphia :
1515 Arch Street, 14th Floor :
Philadelphia, PA 19102 :

and :

POLICE OFFICERS JOHN DOE 1-3 :
Badge# s UNKNOWN, Individually and in their: :
Official Capacities as Police Officers of the :
City Of Philadelphia :
1515 ARCH STREET, 15TH FLOOR :
PHILADELPHIA, PA. 19102 :

Defendants :

CIVIL ACTION COMPLAINT

1. Plaintiff, Jerome Sisco, is an adult citizen and resident of the Commonwealth of Pennsylvania residing as captioned.

2. Defendant, City of Philadelphia (hereinafter "City"), is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, which maintains its principal offices as captioned.

3. Defendants, Police Officer Matthew Blaszczuk, Badge No. 6382; Police Officer – White, Badge No. 7097; Police Officer Larry Aitken, Badge No. 207612; Police Officer John Doe 1, Badge No. Unknown; Police Officer John Doe 2, Badge No. Unknown; Police Officer John Doe 3, Badge No. Unknown (hereinafter Defendants, "Police Officers") were, at all material times, employed as police officers with the City of Philadelphia Police Department. They are being sued both individually and in their official capacities as officers, agents and/or employees of the City of Philadelphia. The Doe officers' identities are currently unknown.

4. At all relevant and material times hereto, Defendants, Police Officers, acted within the course and scope of their employment, under color of state law and pursuant to the

customs, policies and practices of the City of Philadelphia Police Department and the Defendant, City of Philadelphia.

5. This Court has jurisdiction over plaintiff's federal law claims pursuant to 28 U.S.C. §§ 1331 and 1343 and jurisdiction over the state law claims pursuant to the principals of pendant and ancillary jurisdiction.

6. Venue is proper in the Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1391(b) because the cause of action upon which the complaint is based arose in the City of Philadelphia, which is in the Eastern District of Pennsylvania.

7. On or about August 1, 2011, at approximately 2:15 p.m., the Plaintiff Jerome Sisco, was talking to someone at or about the 1300 block of West Cambria Street, in the City of Philadelphia, when a patrol car operated by Defendant Police Officer Blaszczyk in which Defendant Police Officer White was a passenger, came into the area. Said police car then chased the plaintiff until he fell in a grassy lot. At that time, Defendants John Doe Officers 1 – 3 and Defendant Police Officer Larry Aitken came into the grassy area. The plaintiff was on the ground when all defendant officers began to kick, beat, hit and otherwise assault him. Some of the defendant officers left the grassy area and came back with a gun that they said was the plaintiff's.

8. The Defendant Police Officers arrested the plaintiff on charges including possession of a firearm with the serial number altered, firearms not to be carried without a license and carrying firearms in public in Philadelphia. The arrest was without probable cause or warrant, with malice, and for a purpose other than to bring the plaintiff to justice. Defendant Blaszczyk claimed that he and his partner, Defendant White, stopped the plaintiff for investigation due to robberies in the area without any probable cause to believe the plaintiff was involved. The plaintiff was not charged with resisting arrest or disorderly conduct at any time, nor did any of the defendants claim that he resisted or that they were injured.

9. During the course of the arrest, the Defendant Police Officers assaulted the plaintiff with a metal object, punches, fists and kicks. Plaintiff did not resist arrest, and the force was used without justification or cause.

10. As a direct and proximate result of the aforementioned acts and conduct of the Defendant Police Officers and the policies, customs and practices of Defendant, City, Plaintiff, Jerome Sisco, has sustained serious injuries, including, but not limited to, loss of his two front upper teeth, a laceration to his lip resulting in a permanent scar; facial abrasions; headaches; injuries to his cervical, thoracic, and lumbar spine; rib injuries; depression, and emotional distress, all of which may be permanent in nature.

11. As a direct and proximate result of the aforementioned actions of the Defendant Police Officers and the policies, customs and practices of Defendant City, Plaintiff, Jerome Sisco, has suffered disability, mental anguish and emotional distress and will continue to suffer same for an indefinite time in the future his great detriment and loss.

12. As a direct and proximate result of the aforementioned action of the Defendant Police Officers and the policies, customs and practices of Defendant City, Plaintiff, Jerome Sisco, has been obliged to and may continue to expend various sums of money and to incur various expenditures, debts and/or liens for medical and/or dental treatment as well as other out-of-pocket expenses for an indefinite period of time in the future, to his great detriment and loss.

13. As a direct and proximate result of the aforementioned actions of the Defendant Police Officers and the policies, customs and practices of Defendant City, Plaintiff, Jerome Sisco, has sustained and will continue to sustain loss of employment and other financial expenses and losses.

**COUNT I - 42 U.S.C. § 1983 AND
FOURTH AND FOURTEENTH AMENDMENT VIOLATIONS
AND PENNSYLVANIA CONSTITUTIONAL VIOLATIONS –
EXCESSIVE USE OF FORCE
JEROME SISCO V. POLICE OFFICER MATTHEW BLASZCZYUK, BADGE NO.
6382; POLICE OFFICER – WHITE, BADGE 7097; POLICE OFFICER LARRY
AITKEN, BADGE NO. 207612; POLICE OFFICER JOHN DOE 1, BADGE NO.
UNKNOWN; POLICE OFFICER JOHN DOE 2, BADGE NO. UNKNOWN; POLICE
OFFICER JOHN DOE 3, BADGE NO. UNKNOWN**

14. The preceding paragraphs are incorporated herein by reference, as though each were fully set forth at length below.

15. As aforesaid, Defendants Police Officer Matthew Blaszczyuk, Badge No. 6382; Police Officer – White, Badge 7097; Police Officer Larry Aitken, Badge No. 207612; Police Officer John Doe 1, Badge No. Unknown; Police Officer John Doe 2, Badge No. Unknown; and, Police Officer John Doe 3, Badge No. Unknown, deprived Plaintiff of his rights, privileges and immunities under the laws and Constitutions of the United States, in particular, the right to be free from the use of excessive force, which action violated plaintiff's rights under the Fourth and Fourteenth Amendments to the Constitution of the United States and the laws of the United States, as well as under the Constitution of the Commonwealth of Pennsylvania.

16. Defendant Police Officers intentionally, deliberately and maliciously used unjustified physical force on the plaintiff and placed him in fear of imminent bodily harm, which violated plaintiff's rights under the Fourth and Fourteenth Amendments to the Constitution of the United States as well as the Constitution of the Commonwealth of Pennsylvania.

17. As a direct and proximate result of the intentional, deliberate and malicious actions of the Defendant Police Officers plaintiff suffered the injuries and damages that are described above.

18. The above-described actions of the Defendant Police Officers in their individual and official capacities were so malicious, intentional and reckless and displayed such a reckless indifference to the plaintiff's rights and well being, that the imposition of punitive damages is

warranted.

WHEREFORE, plaintiff, demands compensatory and punitive damages against the Defendants, jointly and/or severally, in an amount in excess of One Hundred and Fifty Thousand (\$150,000.00) Dollars, plus interest, costs, attorney's fees and other appropriate relief.

**COUNT II – 42 U.S.C. §§ 1983 AND
FOURTH AND FOURTEENTH AMENDMENT VIOLATIONS -
CONSPIRACY**

JEROME SISCO V. POLICE OFFICER MATTHEW BLASZCZYUK, BADGE NO. 6382; POLICE OFFICER – WHITE, BADGE 7097; POLICE OFFICER LARRY AITKEN, BADGE NO. 207612; POLICE OFFICER JOHN DOE 1, BADGE NO. UNKNOWN; POLICE OFFICER JOHN DOE 2, BADGE NO. UNKNOWN; POLICE OFFICER JOHN DOE 3, BADGE NO. UNKNOWN

19. The preceding paragraphs are incorporated herein by reference as though each were fully set forth below.

20. As detailed above, Defendants Police Officer Matthew Blaszczyuk, Badge No. 6382; Police Officer – White, Badge 7097; Police Officer Larry Aitken, Badge No. 207612; Police Officer John Doe 1, Badge No. Unknown; Police Officer John Doe 2, Badge No. Unknown; and, Police Officer John Doe 3, Badge No. Unknown, for illegal and unconstitutional reasons, entered into a conspiracy to violate the plaintiff's Fourth and Fourteenth Amendment rights to be free from the use of excessive force and bodily injuries.

21. As detailed above, it was the Defendant Police Officers' agreement or meeting of the minds to beat, assault and batter the plaintiff illegally and without cause.

22. As detailed above, the conspiracy directly and proximately resulted in harm to the plaintiff, including the deprivation of his rights and privileges under the Constitution of the United States, as well as under the Constitution of the Commonwealth of Pennsylvania.

23. As a direct and proximate result of the malicious, intentional and reckless actions of the Defendant Police Officers, the plaintiff suffered the injuries and damages described above.

24. The above described actions of the Defendant Police Officers were so malicious, intentional, and reckless and displayed such a reckless indifference to the plaintiff's rights and well-being that the imposition of punitive damages is warranted.

WHEREFORE, plaintiff, demands compensatory and punitive damages against the Defendants, jointly and/or severally, in an amount in excess of One Hundred and Fifty Thousand (\$150,000.00) Dollars, plus interest, costs, attorney's fees and other appropriate relief.

**COUNT III – 42 U.S.C. §§ 1983 AND
FOURTH AND FOURTEENTH AMENDMENT VIOLATIONS -
BYSTANDER LIABILITY
JEROME SISCO V. POLICE OFFICER MATTHEW BLASZCZYUK, BADGE NO.
6382; POLICE OFFICER – WHITE, BADGE 7097; POLICE OFFICER LARRY
AITKEN, BADGE NO. 207612; POLICE OFFICER JOHN DOE 1, BADGE NO.
UNKNOWN; POLICE OFFICER JOHN DOE 2, BADGE NO. UNKNOWN; POLICE
OFFICER JOHN DOE**

25. The preceding paragraphs are incorporated herein by reference as though each were fully set forth below.

26. Defendants Police Officer Matthew Blaszczyuk, Badge No. 6382; Police Officer – White, Badge 7097; Police Officer Larry Aitken, Badge No. 207612; Police Officer John Doe 1, Badge No. Unknown; Police Officer John Doe 2, Badge No. Unknown; Police Officer John Doe 3, Badge No. Unknown, were present at and participated in the illegal and unconstitutional assault, battery and beating and use of excessive force against the Plaintiff, Jerome Sisco.

27. The Defendant Police Officers, had a duty to intervene and stop or prevent the unconstitutional assault, battery, beating and use of excessive use of force against the Plaintiff.

28. The Defendant Police Officers had time to intervene and stop or prevent the unconstitutional assault, battery, beating, and excessive use of force against the plaintiff, but failed to so act.

29. As detailed above, the failure of the Defendant Police Officers to intervene and

stop, or prevent, the unconstitutional assault, battery, beating and use of excessive force against the plaintiff directly and proximately resulted in harm to the plaintiff, including the deprivation of his rights and privileges under the Fourth and Fourteenth Amendments to the Constitution of the United States , as well as under the Constitution of the Commonwealth of Pennsylvania.

30. As a direct and proximate result of the aforesaid malicious, intentional and reckless actions and of failure to act of the Defendant Police Officers, the plaintiff suffered the injuries and damages described above.

31. The above described actions and failure to act of the Defendant Police Officers were so malicious, intentional, and reckless and displayed such a reckless indifference to the plaintiff's rights and well-being that the imposition of punitive damages is warranted.

WHEREFORE, plaintiff, demands compensatory and punitive damages against the defendants, jointly and/or severally, in an amount in excess of One Hundred and Fifty Thousand (\$150,000.00) Dollars, plus interest, costs, attorney's fees and other appropriate relief.

**COUNT IV— 42 U.S.C. §§ 1983 AND FOURTH AND FOURTEENTH
AMENDMENT VIOLATIONS
MONELL CLAIM - FAILURE TO TRAIN AND SUPERVISE
JEROME SISCO V. CITY OF PHILADELPHIA**

32. The preceding paragraphs are incorporated herein by reference as though each were fully set forth below.

33. As of the time of the incident giving rise to this action, Defendant City had adopted and maintained for many years a recognized and accepted policy, custom, and/or practice of encouraging, condoning and/or acquiescing in the use of excessive force by police officers during arrests, which policy, custom, and/or practice was in violation of the Fourth and Fourteenth Amendments of the United States Constitution, 42 U.S.C. § 1983 and the Constitution of the Commonwealth of Pennsylvania.

34. As of the time of the incident giving rise to this action, Defendant City had adopted and maintained for many years, a recognized and accepted policy, custom and/or

practice of systematically failing to properly train, supervise and discipline police officers, including the individual defendants, regarding constitutional restraints on the police power to use excessive force during arrests, which policy, custom, and/or practice violated the Fourth and Fourteenth Amendments of the Constitution of the United States, 42 U.S.C. Section 1983 and the Constitution of the Commonwealth of Pennsylvania.

35. As the time of the incident giving rise to this action, Defendant City had for many years had a custom or policy or practice of failing to properly investigate matters in which police officers used or were alleged to have used excessive force, which policy, custom, and/or practice violated the Fourth and Fourteenth Amendments of the Constitution of the United States, 42 U.S.C. Section 1983 and the Constitution of the Commonwealth of Pennsylvania.

36. As of the time of the incident giving rise to this action, Defendant City for many years had been deliberately indifferent to the rights of individuals to be free from the use of excessive force during arrests, which deliberate indifference violated the Fourth and Fourteenth Amendments of the Constitution of the United States, 42 U.S.C. Section 1983 and the Constitution of the Commonwealth of Pennsylvania.

37. As of the time of the incident giving rise to this action, Defendant City had for many years deliberately, knowingly and intentionally failed to take measures to stop or limit the aforesaid policies, customs and practices, including but not limited to, the following:

a. Failure to prevent the excessive use of force, assault and battery, during arrests by City of Philadelphia Police Officers and Detectives;

b. Failure to properly supervise and control its police officers regarding the excessive use of force, assault and battery during arrests;

c. Failure to properly discipline its Police Officers for use of excessive force, assault and battery during arrests;

d. Failure to have proper counseling, use of force re-training, sensitivity training, psychiatric evaluations, or supervisory briefing/discussion with members of its police

department with prior and ongoing complaints of excessive force, assault and battery during arrests;

e. Failure to conduct systematic and complete internal affairs investigations and commanding officers' investigation resulting in appropriate and documented corrective actions at all levels of the City of Philadelphia Police Department with regard to complaints of the excessive use of force, assault and battery during arrests;

f. Failure to have in existence and/or maintain proper personnel training procedures necessary to prevent the type of conduct as aforesaid;

g. Failing to provide adequate guidance, including police directives, as to when it was inappropriate to use force and the lawful amount of force to effectuate a detention and/or arrest;

h. Failing to provide proper training and/or retraining regarding when and how to use fists, feet, batons and tasers or any other object or police body part that could cause injury to another

All of the foregoing violated the Fourth and Fourteenth Amendments of the Constitution of the United States, 42 U.S.C. Section 1983 and the Constitution of the Commonwealth of Pennsylvania.

38. As a direct and proximate result of the aforesaid unlawful policies, customs, and practices of Defendant City, the plaintiff's right to be free from excessive force under the Fourth and Fourteenth Amendments of the Constitution of the United States, 42 U.S.C. Section 1983 and the Constitution of the Commonwealth of Pennsylvania were violated and plaintiff suffered the injuries and damages described above

WHEREFORE, plaintiff, demands compensatory and punitive damages against the Defendants, jointly and/or severally, in an amount in excess of One Hundred and Fifty Thousand (\$150,000.00) Dollars, plus interest, costs, attorney's fees and other appropriate relief.

COUNT V - ASSAULT AND BATTERY
JEROME SISCO V. POLICE OFFICER MATTHEW BLASZCZYUK, BADGE NO. 6382; POLICE OFFICER – WHITE, BADGE 7097; POLICE OFFICER LARRY AITKEN, BADGE NO. 207612; POLICE OFFICER JOHN DOE 1, BADGE NO. UNKNOWN; POLICE OFFICER JOHN DOE 2, BADGE NO. UNKNOWN; POLICE OFFICER JOHN DOE 3

39. The preceding paragraphs are incorporated herein by reference, as though each were fully set forth herein at length.

40. Plaintiff, Jerome Sisco, believes and therefore avers that Defendants Police Officer Matthew Blaszczyk, Badge No. 6382; Police Officer – White, Badge No. 7097; Police Officer Larry Aitken, Badge No. 207612; Police Officer John Doe 1, Badge No. Unknown; Police Officer John Doe 2, Badge No. Unknown; and, Police Officer John Doe 3, Badge No. Unknown acting within the course and scope of their authority, wrongfully and unlawfully assaulted and battered the plaintiff, as more particularly described hereinabove.

41. Plaintiff, Jerome Sisco, specifically complains of the conduct of the Defendant Police Officers in physically assaulting, battering and abusing him.

42. The above-described actions of the said defendants placed the plaintiff in the reasonable fear of imminent bodily harm and resulted in the plaintiff being unlawfully and improperly touched, assaulted, battered, injured and abused against his will.

43. As a direct and proximate result of the malicious, intentional and/or reckless actions of the Defendant Police Officers, the plaintiff suffered injuries and damages that are described herein.

44. The above-described actions of the Defendant Police Officers were so malicious, intentional, reckless and displayed such a reckless indifference to the plaintiff's rights and well-being, that the imposition of punitive damages is warranted.

WHEREFORE, Plaintiff, Jerome Sisco, demands compensatory and punitive damages against Defendants, Police Officers, jointly and/or severally, in an amount in excess of One Hundred and Fifty Thousand (\$150,000.00) Dollars, plus interest, costs, attorney's fees and other appropriate relief.

JURY TRIAL DEMAND

A jury trial is requested.

RESPECTFULLY SUBMITTED,

BY:

A handwritten signature in black ink, appearing to read 'Rania Major', is written over a horizontal line.

**Rania Major, Esquire
Attorney ID No. 51298
2915 N. 5th Street
Philadelphia, PA 19133
(215) 291-5009**